World Bank Assistance

3522. DR. A.K. PATEL : Will the PRIME MINISTER be pleased to state :

(a) whether Government of Gujarat had requested for any World Bank assistance for the Family Planning Programme during the years 1996-97;

(b) if so, the details of the assistance provided to the State so far;

(c) whether the State Government has utilised all the assistance during the above period; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI RENUKA CHOWDHURY) : (a) to (d) The State Government of Gujarat has forwarded in 1996-97 a Sub project proposal for Vadodara district for a period of five years at a total cost of Rs. 10.61 Crores to be taken up as part of the Reproductive and Child Health Project with World Bank assistance. The Project has been appraised and accepted by the World Bank for inclusion in the Reproductive and Child Health Project recently negotiated with the Bank. The Reproductive and Child Health Project is currently in the final approval stage of the Government of India.

Rules for Reservation

3523. SHRI ANCHAL DAS : Will the PRIME MINISTER be pleased to state :

(a) whether the Government have issued any circular on 'Seniority of SC/ST officers, promoted earlier vis-a-vis general candidate promoted later' on 30th January, 1997;

(b) if so, the details of the circular;

(c) whether the Government have received any representation against this circular and the action taken thereon;

(d) whether the Government are aware of the Supreme Court's Judgements in case of Shri Jagdish Lal and others V/s. State of Haryana and Ashok Kumar Gupta V/s. State of Uttar Pradesh of dated May 7th and March 21st, 1997; and

(e) if so, the details of the judgements?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S.R. BALASUBRAMONIYAN) : (a) to (c) Yes Sir. Having regard to the judgement of the Hon'ble Supreme Court in the matter of Union of India and Ors. Vs. Virpal Singh Chauhan etc. (JT 1995 (7) SC 231) orders have been issued by the Government vide O.M.No. 20011/1/96-Eastt (D) dated 30.1.97 that if a candidate belonging to the Scheduled Caste or the Scheduled Tribe is promoted to an immediate higher post/grade against a reserve vacancy earlier than his senior general/OBC candidate who is promoted later to the said immediate higher post/grade, the general/OBC candidate will regain his seniority over such earlier promoted candidate of the Scheduled Caste and the Scheduled Tribe in the immediate higher post/grade. However, if in the meanwhile, the reserved candidate, who got accelerated promotion to the immediate higher grade, has moved still further by getting promotion to the next higher grade, no benefit would accrue to the general OBC candidate at the time of his promotion. These orders are effective from the date of issue i.e. from a prospective date.

Representations have been received against the orders which were examined in the light of the law laid down by the Hon'ble Supreme Court and the provisoin made in the aforesaid Office Memoradum.

(d) and (e) Yes Sir. In case of Shri Jagdish Lal and others Vs. State of Haryana the Hon'ble Supreme Court in its judgement dated 7.5.1997 has held *inter-alia* that the principle laid down in Virpal Singh Chauhan's case will operate prospectively and will not affect promotions of reserved category candidates which were made prior to the case of Virpal Singh Chauhan. Also, the ruling in Chauhan's case cannot be given effect automatically through issue of executive instructions if there is contrary provision in the statutory rules. In other words, it will be necessary to amend the statutory rules governing seniority to give effect to the ruling of the Hon'ble Supreme Court. Where, however, there are no statutory rules regulating seniority, issue of instructions in this regard would suffice.

In the case of Ashok Kumar Gupta Vs. State of Uttar Pradesh, challenge was directed at reservation in promotion. The Hon'ble Supreme Court in its judgement dates 21.3.1997 has upheld the validity of reservation in promotion under the relevant rules on the grounds that the Supreme Court, in Indira Sawheny's judgement, has permitted the existing scheme of reservations in promotions to continue for a period of five years from the date of said judgement.

ITIs in Kerala

3524. SHRI S. AJAY KUMAR : Will the Minister of LABOUR be pleased to state :

(a) whether the Government are considering to grant National Council for Vocational Trainings (NCVT) approval for 41 ITIs being run in Kerala to enable the students to appear in their examinations during this academic year;

(b) if so, the details thereof alongwith its present status; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI M.P. VEERENDRA KUMAR) : (a) to (c) The Standing Committee Inspection Reports, recommending the affiliation of 41 ITCs run by the Scheduled Caste Development Department, Kerala have not been received from the State Director, Kerala. In the absence of these reports, it is not possible to consider their cases for affiliation.

As regards allowing the trainees of various Industrial Training Institutes/Centres in All India Trade Test, a decision was taken in July, 1997 that the trainees of the institutes which have been inspected by the representative of the respective State Council for Vocational Training (SCVT) and found fulfilling the norms of NCVT, be allowed to appear provisionally in the July, 1997 of All India Trade Test, conducted by NCVT. However, the results of trainees from such institutes will not be declared till they secure affiliation of trades/units from NCVT. This was a one time relaxation extended to all the States for July, 1997 examination. The State Director, Kerala has intimated that the trainees of these 41 institutes were allowed to appear in All India Trade Test held in July, 1997.

Central Training Institute

3525. SHRI T. GOVINDAN : Will the Minister of LABOUR be pleased to state :

(a) whether the Government propose to start a Central Training Institute for Training of Instructors of Industrial Training Institutes in Kerala preferably in Calicut; and

(b) if so, the details thereof alongwith its present status?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI M.P. VEERENDRA KUMAR) : (a) No, Sir.

(b) Does not arise.

State Electricity Boards

3526. SHRI R. SAMBASIVA RAO : Will the PRIME MINISTER be pleased to state :

(a) whether the Planning Commission has considered the proposal to dilute Government holding in State Electricity Boards to 26 percent as recommended by the National Development Council's Committee on power;

(b) if so, the reasons therefor;

(c) whether Planning Commission has emphasised on rationalising the tariff structure and improving the financial and operational performance of State Electricity Boards;

(d) if so, the reaction of the Union Government thereto; and

(e) whether any concrete measures have been suggested by the Planning Commission for implementing these programmes?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRIMATI RATNMALA D. SAVANOOR) : (a) The Committee of National Development Council (NDC) on Power submitted its report in September, 1994. One of the recommendations of the Committee is that in the long run State Electricity Boards (SEBs) be progressively restructured as corporate bodies with Government equity being reduced in the first instance to 51% and thereafter progressively to 26%. The report of NDC Committee on Power was discussed in the full Planning Commission meeting held in June, 1997. It was decided that the report would be circulated to the NDC in its next meeting for consideration.

(b) Does not arise.

(c) to (e) Yes Sir. The Approach Paper to Ninth Five Year Plan indicated that the deteriorating financial health of the State Electricity Boards has been one of the most critical factors constraining power development in the country. The commercial losses of SEBs taken together were Rs. 7,500 crore in 1995-96. The Boards should be given fullest autonomy so that they may run in a commercial and professional manner. During the Ninth Plan, alternative models of restructuring the SEBs will be explored with a view to enhance their effectiveness. Concrete and determined steps should be taken for rationalisation of the electricity tariff. The issues regarding time-of-the-day metering/peak load pricing should be examined while rationalising the tariff structure. Such tariff rationalisation is not only necessary for generating adequate internal resources by the SEBs, but also for enlisting for participation of private sector which will come forward in large measure only when they are dealing with financially healthy Boards. These will include specific steps for reducing the cost of supply, transmission and distribution (T and D) losses, theft of power and for improving the Plant Load Factor (PLF).

During the Chief Ministers Conference held on 16th Oct. 1996 and 3rd Dec. 1996 to discuss the Common Minimum National Action Plan on Power a consensus had emerged on the need to carry out reforms and restructuring, including rationalisation of tariff structure and improvement in the operational performance of State Electricity Boards, within a definite time frame.